BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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INTELLECTUAL PROPERTY LAW 12400 WILSHIRE BOULEVARD, 7TH FLOOR LOS ANGELES, CA 90025 FACSIMILE: (714) 557-PECEIVED
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FACSIMILE COVER SHEET

| Deliver to: Laura A. Grier, USPTO | Art Group:2644 | | | | | | | |
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| Facsimile No.: 703-872-9306 | Date: October 11, 2004 | | | | | | | |
| From: William W. Schaal, Reg. No. 39,018 | | | | | | | | |
| Our Docket No.: 80398P109 | Number of pages15including this sheet. | | | | | | | |
| Application No.: <u>08/936,708</u> | Filing Date: 9/24/1997 | | | | | | | |
| | Docket Due Date(s): 10/11/2004 11/11/2004 | | | | | | | |
| Enclosed are the following documents: | | | | | | | | |
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| ★ Amendment: <u>After Final</u> (_11_pgs) | ☐ Issue Fee Transmittal | | | | | | | |
| Appeal Brief (in triplicate) (pgs) | Notice of Appeal | | | | | | | |
| Application: | Petition for: | | | | | | | |
| (pgs) w/cover & abstract) | Request for Continued Examination (RCE) | | | | | | | |
| ☐ Assignment & Cover Sheet (pgs) | Reply Brief (pgs) | | | | | | | |
| ☑ Certificate of Eacsimile | Request & Certification Under 35 USC 122(b)(2)(B)(i) | | | | | | | |
| ☐ Continued Prosecution Application (CPA) | ☐ Request to Rescind Previous Nonpublication Request | | | | | | | |
| Declaration & POA (pgs) | ☐ Response to Notice of Missing Parts & Formalities Letter | | | | | | | |
| Drawings:sheets,figures | Response to Written Opinion (pgs) | | | | | | | |
| Extension of Time: | ☐ Terminal Disclaimer | | | | | | | |
| □ □ | ☐ Transmittal of Publication Fee Due | | | | | | | |
| ☐ IDS & PTO/SB/08 (pgs) | ☑ Transmittal Letter | | | | | | | |
| Other | | | | | | | | |
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| I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office. 10/11/2004 | | | | | | | | |
| Susan McFarlane | Date | | | | | | | |

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If you do not receive all the pages, or if there is any difficulty in receiving, please call: (714) 557-3800 and ask for Susan McFarlane.

| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application No. | 08/936,708 | | | | |
|--|-----------------------|--|--|--|--|--|--|
| | | Filing Date | September 24, 1997 | | | | |
| | | First Named Inventor | Jeffrey J. Claar | | | | |
| | | Art Unit | 2644 | | | | |
| | | Examiner Name | Laura A. Grier | | | | |
| Total Number of Pages in This Submiss | ion 14 | Attorney Docket Number | 80398P109 | | | | |
| ENCLOSURES (check all that apply) | | | | | | | |
| Fee Transmittal Form | Drawing(s) | | After Allowance Communication to Group | | | | |
| Fee Attached | Licensing-r | elated Papers | Appeal Communication to Board of Appeals and Interferences | | | | |
| Amendment / Response | Petition | | Appeal Communication to Grou (Appeal Notice, Brief, Reply Brief) | | | | |
| After Final Affidavits/declaration(s) | Petition to O | Convert a Application | Proprietary Information | | | | |
| Extension of Time Request | Power of A Change of | ttomey, Révocation Correspondence Address | Status Letter | | | | |
| Express Abandonment Request | Terminal D | sdaimer | Other Enclosure(s) (please identify below): | | | | |
| Information Disclosure Statement | Request for | Refund | | | | | |
| PTO/SB/08 Certified Copy of Priority | CD, Numbe | r of CD(s) | | | | | |
| Document(s) | | | | | | | |
| Response to Missing Parts/ Incomplete Application Remarks | | | | | | | |
| Basic Filing Fee | | | • | | | | |
| Dedaration/POA | | | | | | | |
| Response to Missing Parls under 37 CFR 1,52 or 1.53 | | | | | | | |
| SIGNATUR | E OF APPLICAN | IT, ATTORNEY, OR AC | ENT | | | | |
| Firm William W. Scl | naal, Reg. No. 3 | 39,018 | | | | | |
| | OKOLOFF, 1 | AYLOR & ZAFM | AN LLP | | | | |
| Signature W-3// | | | | | | | |
| Date Optober 11,2004 | | | | | | | |
| CERTIF | CATE OF MAIL | NG/TRANSMISSION | | | | | |
| I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office. | | | | | | | |
| Typed or printed name Susan McFa | rlane | | | | | | |
| Signature Just | Oate October 11, 2004 | | | | | | |

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| for FY 2004 | | | | | | tember 24, | | |
| Effective 10/01/2004. Patent fees are subject to annual revision. | First Named Inve | | | | | rey J. Claar | • | |
| Applicant claims small entity status. See 37 CFR 1.27. | Examiner Name | | | : | | ra A. Grier | | |
| TOTAL AMOUNT OF PAYMENT (\$) 0 | .00 Attorney Docket I | | | No | 264 | 4 98P109 | | |
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| original patent | Uther | fee (specify) | | | | | | |
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| Name (Print/Type) William W. Schaal | | Registratio | | 7 | 9,018 | Telephone | (714) 55 | |
| William V Schaar | | (Attomey/Ager | nt) |] 3 | 77,0.10 | - Grophono | | |
| Signature Date 11/10/04 | | | | | | 0/04 | | |
| Based on PTO/SB/17 (10-03) as modified by Blakely, Eolokoff, Taylor & Zafman (Mr) 02/10/2004. SEND TO: Commissioner for Palawis, P.O. Box 1450, Alexandria, VA 22313-1450 | | | | | | | | |

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| FEE TRANSMITTAL | | Complete if Known | | | | | | |
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| for FY 2004 | | | | | | ptember 24, 1997 | | |
| Effective 10/01/2004. Patent fees are subject to annual revision. | | | First Named Inventor Jeff | | | rey J. Claar | | |
| Applicant claims small entity status. See 37 CFR 1.27. | | Examiner | Name |) | | ra A. Grier | | |
| TOTAL AMOUNT OF PAYMENT (\$) 0. | .00 | Art Unit Attorney [| Jooks | t No | 264 | 4 08P109 | | |
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| The Commissioner is authorized to: (check all that apply) | 180 | | 1804 | | Requesting publication | | · . | |
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| to the above-identified deposit account | 125 | 51 110 | 2251 | 55 | Extension for reply wi | thin first month | | |
| FEE CALCULATION | 125 | 52 430 | 2252 , | 215 | Extension for reply wi | thin second month | | |
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| 1002 350 2002 175 Design filing fee | 140 | | 2402 | 170 150 | Request for oral hear | | | |
| 1003 550 2003 275 Plant filing fee | 140 | | 2403 2451 | 1,510 | Petition to institute a | | | |
| 1004 790 2004 395 Reissue filing foo | 145 | | 2452 | 55 | Petition to revive - un | | | <u> </u> |
| 1005 160 2005 80 Provisional liling fee | 145 | ~ l | 2453 | 685 | Petition to revive - un | | | |
| SUBTOTAL (1) (\$) | 150 | | 2501 | 685 | Utility issue fee (or re | issue) | • | |
| 2. EXTRA CLAIM FEES Extra Fee from | 150 | 02 490 | 2502 | 245 | Design issue fee | | | |
| Claires below Fee Paid | 150 | D3 680 | 2503 | 330 | Plant issue fee | | | |
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| Independent 4 4 = 0 x 88.00 = \$0.00 | 160 | 7 50 | 1607 | 50 | Prosessing fee under | | | |
| Multiple Dependent | 160 | | 1806 | 180 | Submission of Inform | | mt | <u> </u> |
| Large Entity Small Entity Foo Fee Fee Fee Description | 802 | 21 40 | 8021 | 40 | Recording each pater property (times numb | | | i |
| Code (5) Code (5) 1202 18 2202 9 Claims in excess of 20 | 180 | og 790 | 1809 | 395 | Filing a submission af (37 CFR § 1,129(a)) | ter final rejection | | |
| 1201 88 2201 44 Independent claims in excess of 3 | 181 | 10 790 | 2810 | 395 | For each additional in examined (37 CFR § | | | |
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| SUBMITTED BY | | | | | | Comp | lete (if applica | ble) |
| Name (Print/Type) William W. Schapt | | Registratio | | 3 | 9,018 | Telephone | (714) 55 | |
| | | | | | Date | 11/10/04 | | |
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| Sassed on PTO/SB/17 (10-03) as modified by Blakely, Solokerf, Taylor & Zafman (wir) 02/10/2004. SEND TO: Commission of for Patepas, P.O. Box 1469, Alexandria, VA 22313-1450 | | | | | | | | |

To: USPTO

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Appl. No. 08/936,708 Amdt. Dated 11/11/04 Reply to Office Action of August 11,2004

> **RESPONSE UNDER 37 CFR § 1.116** EXPEDITED PROCEDURE **EXAMINING GROUP 2644**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. :

08/936,708

Confirmation No. 1031

Applicant

Jeffrey M Claar

Filed

09/24/1997

TC/A.U.

2644

Examiner

Laura A. Grier

Docket No.

080398.P109

Customer No.

8791

Mail Stop AF Commissioner for Patents PO Box 1450 Alexandria VA 22313-1450

AMENDMENT UNDER 37 CFR § 1.116

Sir:

In response to the Office action of August 11,2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

080398.P109 App. No. 08/936,708 -1-

WWS/sm Filed: 9/24/97